

and after December 29, 1942, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Western pine and associated species of lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things. Maximum f. o. b. mill prices are set forth in Appendices A. to H.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1381.502 *What products, persons and transactions are covered*—(a) *What transactions are covered*—(1) *Direct-mill shipments*. This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. (The prices for yard sales may be found either in Maximum Price Regulation No. 215 or in the General Maximum Price Regulation, depending on the nature of the sale and the purchaser.) A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made. For example, if a retail yard takes an order for a defense housing project, and then brings the lumber from a mill, puts it in his yard, and delivers it as needed, the sale is subject to this regulation.

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(3) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

(b) *What products are covered—(1) General.* This regulation covers all Western pine and associated species of lumber, whether the grades, sizes, and specifications are specifically named in the price tables or not. All grade terms have the meaning given in the "Standard Grading Rules" published by the Western Pine Association, and effective July 1, 1942; but any item not graded in accordance with these rules is nevertheless subject to this regulation.

(2) *Species and areas.* The following species from the following areas are covered by this regulation:

(i) Ponderosa pine (*pinus ponderosa*), Idaho white pine (*pinus monticola*), and sugar pine (*pinus lambertiana*) produced in Oregon, Washington, Idaho, California, Montana, Canada, and Mexico;

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The pertinent provisions of Maximum Price Regulation 458, 8 F. R. 11736, as amended, are the following:

ARTICLE I—SCOPE OF THE REGULATION

SECTION 1. Prices higher than ceiling prohibited. (a) On and after August 28, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business, any oak flooring and pecan flooring for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2. *What products, transactions, and persons are covered.* This regulation covers all direct-mill sales of standard grades and victory grade of oak flooring and pecan flooring, graded as such under the effective Grading Rules of the National Oak Flooring Manufacturers' Association, and also prefinished oak and pecan flooring. For the purposes of this regulation, prefinished oak and pecan flooring means oak and pecan flooring that has been sanded, filled, finished, waxed and pressure-rubbed to form a finished product ready for immediate use after installation. The regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a sale of this kind, for himself, or others, is subject to this regulation.

